

MINUTES

Regular meeting of the Mayor and Council of the
Town of Guttenberg at Town Hall, 6808 Park Avenue, Guttenberg, New Jersey
on Wednesday, November 12, 2025, Second Floor

Call to Order: Dr. Cosmo A. Cirillo, Town Clerk

Salute to the Flag: By Dr. Cosmo A. Cirillo, Town Clerk

Members Present:

Councilpersons: Richard Delafuente, Monica Fundora, John Habermann, William Hokien, Juana Malave and Mayor Wayne D. Zitt, Jr.

Sunshine Law:

As presiding officer of this Regular Meeting of the Mayor and Town Council of the Town of Guttenberg, held on November 12, 2025 at 4:30 P.M., I do hereby publicly announce, and I direct that this announcement shall be placed in the minutes of this meeting, and that the Notice requirements provided for in the "Open Public Meetings Act" have been satisfied. Notice of this meeting was properly given to the Town Council and transmitted by the Town Clerk to the Jersey Journal, the Bergen Record and publicly posted on the Municipal Bulletin Board the annual resolution showing the date, time and place of each regular meeting.

Approval of consent agenda Resolution #227-2025 through Resolution#237-2025:

A motion was made by Councilperson Hokien seconded by Councilperson Delafuente Ayes: Councilpersons Delafuente, Fundora, Habermann, Hokien, Malave and Mayor Zitt Nays: None Absent: None Abstain: None

Resolution:

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION# 227-2025
RESOLUTION ENDORSING A TREATMENT WORKS PERMIT APPLICATION (TWA)
PROVIDED TO THE TOWN BY REMINGTON & VERNICK ENGINEERS, ENGINEERS
FOR THE TOWN OF GUTTENBERG, FOR COMBINED SEWER OVERFLOW PIPE,
NETTING CHAMBER, AND OUTFALL UPGRADES AND AUTHORIZING THE TOWN
ADMINISTRATOR
TO SIGN THE APPLICATION

WHEREAS, the Town of Guttenberg is intending to upgrade the existing combined sewer overflow (CSO) pipe, netting chamber, and outfall that extends from the Galaxy Tower property, across River Road, Waterfront Park, and into the Hudson River in the Town of Guttenberg; and

WHEREAS, in order to obtain approvals and permits, the consent and endorsement of the municipality in which the subject property is located in will be required; and

WHEREAS, Remington & Vernick Engineers, engineers for the Town of Guttenberg, is intending on presenting the Town with a Treatment Works Approval Permit Application seeking said endorsement; and

WHEREAS, Remington & Vernick Engineers, engineers for the Town of Guttenberg, has recommended that the Town sign the TWA application as required by the permitting agency; and

WHEREAS, the Town of Guttenberg wishes through this resolution to memorialize its review and endorsement of Remington & Vernick Engineers, engineers for the Town of Guttenberg, application and to further authorize the Town Administrator to sign the TWA.

NOW, THEREFORE, BE IT RESOLVED, by the Town Committee of the Town of Guttenberg, in the County of Hudson and State of New Jersey, that the Town Committee hereby authorizes the TWA application of Remington & Vernick Engineers, engineers for the Town of Guttenberg, to be submitted to the New Jersey Department of Environmental Protection for approval and directs the Town Administrator to sign the application and take any and all necessary actions in order to effectuate the terms of this Resolution.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY

RESOLUTION #228-2025

AUTHORIZING THE APPOINTMENT OF JORGE GOMEZ

AS THE TOWN OF GUTTENBERG LIAISON TO THE

NORTH BERGEN MUNICIPAL UTILITIES AUTHORITY BOARD

WHEREAS, the Town of Guttenberg (“Guttenberg”), with offices located at 6808 Park Avenue, Guttenberg, New Jersey, is desirous of having a Liaison to the North Bergen Municipal Utility Authority Board; and

WHEREAS, the North Bergen Municipal Utility Authority (“Authority”), having offices at 6200 Tonnelle Avenue., North Bergen, New Jersey, is desirous of authorizing the appointment of a Liaison from the Town of Guttenberg to serve on its Board; and

WHEREAS, the Authority and Guttenberg have various ongoing projects and interests which require the parties to work together for the benefit of both the Authority and Guttenberg; and

WHEREAS, the Mayor and Council of the Town of Guttenberg wish to appoint Jorge Gomez, as the Town of Guttenberg Liaison to the North Bergen Municipal Utilities Authority Board.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey, that Jorge Gomez is hereby appointed to serve on the North Bergen Municipal Utilities Authority Board.

BE IT FURTHER RESOLVED, Mr. Gomez's appointment to the Authority shall commence on November 12, 2025.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be maintained by the Clerk's Office.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #229-2025
AUTHORIZING TAX EXEMPTION FOR DISABLED VETERAN ACCOUNT

WHEREAS, Benjamin Williams, who resides at and is the owner of certain real estate in the Town of Guttenberg, County of Hudson, State of New Jersey known as Block 43, Lot 33 located at 7002 Boulevard East, Unit 33L, Guttenberg, New Jersey was deemed a 100% permanently disabled veteran in accordance with the provisions of N.J.S.A. 54:4-3.30; and

WHEREAS, Benjamin Williams made the appropriate claim for tax exemption through the Tax Assessor for the Town of Guttenberg, Hudson County, State of New Jersey as a 100% permanently disabled veteran approved through the Veteran's Administration.

NOW THEREFORE BE IT RESOLVED, the Mayor and Town Council for the Town of Guttenberg, Hudson County, New Jersey, that the property known as Block 43, Lot 33 located at 7002 Boulevard East, Unit 33L, Guttenberg, New Jersey, is hereby designated as a tax-exempt property for the property owner, Benjamin Williams, who is a 100% permanently disabled veteran and therefore all property taxes on said are hereby cancelled.

BE IT FURTHER RESOLVED that a properly executed copy of this resolution be forwarded to the Tax Collector and Finance Director for their record.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #230-2025
AUTHORIZING THE TOWN OF GUTTENBERG TO APPLY FOR \$6,000 FROM THE NEW JERSEY URBAN ENTERPRISE ZONE (UEZ) ASSISTANCE FUND FOR THE FISCAL YEAR 2026 FOR THE GUTTENBERG 2026 UEZ CHRISTMAS VILLAGE & MARKET

WHEREAS, the Town of Guttenberg has a financial allocation from the State of New Jersey for Fiscal Year 2026 that is earmarked, and must be used for, UEZ activities within the boundaries of the UEZs in the Town to help stimulate economic activity among the Town's existing small businesses, attract new businesses, and increase employment among residents of the Town;

WHEREAS, the New Jersey UEZ Authority has allocated the Town of Guttenberg \$91,749 for the State Fiscal Year 2026 to be used on all UEZ activities and such funds can only be used for such dedicated purposes and no other Town's expenses;

WHEREAS, the State UEZ Authority meets monthly to approve projects presented by UEZ municipalities, and once approved, the municipality is able to receive funds from the State Fiscal Year 2026 UEZ allocation to implement the project;

WHEREAS, the "Christmas Village & Market" will provide funds for Guttenberg's acquisition to help manage and distribute the UEZ project, the State UEZ Authority has supported and funded similar projects in many municipalities throughout the State;

WHEREAS, the Mayor and Council find that this project which would implement holiday decor on the streets within Guttenberg's UEZ ("Guttenberg's 2026 UEZ Christmas Village & Market") would improve the current business environment in Guttenberg and attract additional businesses to that area;

WHEREAS, should the Guttenberg 2026 UEZ Christmas Village & Market be approved by the State UEZ Authority, all the money to undertake and complete the project would come directly from the State and would have no impact on Guttenberg's budget; and

WHEREAS, should the Guttenberg 2026 UEZ Christmas Village & Market be approved and undertaken, this would still leave \$360,934.22 remaining in the State Fiscal Year allocation to be used on other projects.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF GUTTENBERG that the proper officers be and are authorized to submit an application to the New Jersey Urban Enterprise Zone Program for anticipated Zone Assistance Fund in the amount of fifty thousand three hundred ninety one dollars and seventy eight cents **(\$6,000)** for the purpose of funding the Guttenberg 2026 UEZ Christmas Village & Market, in accordance with all pertinent terms, conditions, and requirements which may be established for such an application.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #231-2025

AUTHORIZE HIRE OF JACOB NEGRON AS PROBATIONARY FULL-TIME POLICE
OFFICER FOR THE TOWN OF GUTTENBERG POLICE DEPARTMENT

WHEREAS, Jacob Negron was hired as full-time Police Officer with the Town of Guttenberg Police Department; and

WHEREAS, Jacob Negron possesses the necessary experience and qualifications to perform the duties of a full-time Police Officer; and

WHEREAS, the Police Chief recommends the appointment of Jacob Negron as probationary full-time Police Officer.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey, that Jacob Negron is hereby hired as probationary full-time Police Officer of the Guttenberg Police Department; and

BE IT FURTHER RESOLVED, said appointments shall be retroactively effective as of November 1, 2025. The salary shall be set forth by the salary ordinance of the Town of Guttenberg; and

BE IT FURTHER RESOLVED, that this appointment shall be probationary for a period of ninety (90) days expiring on January 30, 2026; and

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that funds are available for the appropriation "Current-Fund – Police Salary & Wages 01-2010-25-2401-001.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION # 232-2025
APPOINTING GEORGE CACERES, ESQ. AS A MUNICIPAL COURT JUDGE
FOR THE TOWN OF GUTTENBERG MUNICIPAL COURT

WHEREAS, the Mayor and Council of the Town of Guttenberg have determined that it is necessary to appoint an additional Municipal Court Judge; and

WHEREAS, pursuant to N.J.S.A. 2B:12-4 a municipality may employ an attorney-at-law as the Municipal Court Judge for the term of three years from the date of appointment; and

WHEREAS, the Town of Guttenberg has established a second court session which requires an additional Municipal Court Judge; and

WHEREAS, George Caceres, Esq. has the necessary experience and qualifications to perform the duties of Municipal Court Judge.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey, that George Caceres, Esq. is hereby appointed a Municipal Court Judge for the Town of Guttenberg for a three-year term; and

BE IT FURTHER RESOLVED, that the term of the appointment shall commence January 1, 2026 and expire December 31, 2028.

BE IT FURTHER RESOLVED that the Chief Financial Officer of the Town of Guttenberg certifies that funds are available for this appropriation "Current Fund- Municipal Court Salary & Wages."

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #233-2025
APPOINTING MUNICIPAL COURT JUDGE CHARLES P. DAGLIAN AS
CHIEF JUDGE FOR THE TOWN OF GUTTENBERG MUNICIPAL COURT

WHEREAS, the Mayor and Council of the Town of Guttenberg have determined that it is necessary to appoint a Chief Municipal Court Judge; and

WHEREAS, pursuant to N.J.S.A. 2B:12-8, where there is more than one judge of a municipal court, the county or municipality may designate one of the judges as the chief judge of the court.

WHEREAS, Charles P. Daglian currently serves as the Municipal Court Judge for the Town of Guttenberg; and

WHEREAS, due to the addition of a second Municipal Court Judge, the Town is required to designate one of the judges as Chief Judge; and

WHEREAS, Charles P. Daglian, has the necessary experience and qualifications to perform the duties of Municipal Court Chief Judge.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Guttenberg County of Hudson State of New Jersey, that Charles P. Daglian is hereby designated the Chief Judge of the Guttenberg Municipal Court effective January 1, 2026.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #234-2025
AUTHORIZING PAYMENT OF SLFRF FUND BALANCE TO THE
U.S. DEPARTMENT OF TRESURY

WHEREAS, the Town of Guttenberg participated in the Coronavirus State and Local Fiscal Recovery Funds (“SLFRF”) program authorized by sections 602 and 603 of the Social Security Act; and

WHEREAS, Participation in the SLFRF program is subject to award terms and conditions, which incorporate the requirements of 31 CFR Part 35, Subpart A. Pursuant to 31 CFR 35.5©, recipients must return any funds not obligated by December 31, 2024 to the Department of Treasury;

WHREAS, The Town’s most recent Project and Expenditure Report showed an unobligated balance of \$169,577.85 which must be returned to the Treasury by November 15, 2025; and

WHEREAS, the Town Finance Director has reviewed the materials provided by the Treasury, the Town Attorney has reviewed the Town’s legal obligations under the SLFRF program, and the Mayor and Council have determined that it is in the best interests of the Town to return this unobligated money to the Treasury.

NOW THEREFORE, BE RESOLVED, that Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey, authorize the Finance Director to return the Town’s unobligated balance of \$169,577.85 to the Department of Treasury by wire.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #235-2025
AUTHORIZING THE ACCEPTANCE OF FEDERAL GRANT MONEY ADMINISTERED
BY THE NEW JERSEY DCA RESILIENT COMMUNITIES PROGRAM

WHEREAS, the Town of Guttenberg (the “Town”) has undertaken an effort to install Flood Mitigation elements along John F. Kennedy Boulevard East (the “Project”) for the Town; and

WHEREAS, the Town applied for a federal grant from the New Jersey Department of Community Affairs (“DCA”), Resilient Communities Program (“RCP”). The Town received a Notice of Grant Award from DCA of \$1,480,605 and will sign a Subrecipient Agreement with DCA in the upcoming months. The grant is funded by the Community Development Block Grant-Disaster Recovery program allocated by the U.S. Department of Housing and Urban Development (“HUD”). As such, the Town must follow federal rules and regulations applicable to CDBG-DR grants and subrecipients;

WHEREAS, the Town, with supervision from RCP, prepared a Request for Proposals (“RFP”) solicited proposals from qualified professionals pursuant to a fair and open process in

accordance with N.J.S.A. 19:44A-20.4 et seq. and applicable federal procurement regulations and law, and selected an engineering firm (the “Firm”) to complete the process; and

WHEREAS, the Town has completed the required Pre-Award certifications, disclosures, and forms required by the RCP program; and

WHEREAS, the RCP has reviewed the Town’s pre-award documents and determined, based on the Town’s and the Firm’s representations and certifications that the Town shall be awarded \$1,258,445.50 for completion of the Project; and

WHEREAS, the Mayor and Council have determined that accepting this grant award amount from RCP is in the best interests of the Town.

NOW THEREFORE BE IT RESOLVED the Mayor and Council hereby authorize the Town Attorney and Town Administrator to negotiate and finalize any agreements required for the acceptance of the grant award and authorize the Town Clerk and Mayor to execute a contract, and any other documents required to implement the transaction accepting the award amount of \$1,258,445.50.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #236-2025

RESOLUTION AUTHORIZING THE TOWN OF GUTTENBERG JOINT PLANNING/ZONING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER BLOCK 13, LOT 11 IDENTIFIED ON THE TAX MAP OF THE TOWN OF GUTTENBERG AND COMMONLY KNOWN AS 6823 BERGENLINE AVENUE SHOULD BE DELINEATED AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A-1 et seq.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “LRHL”) provides a mechanism to assist local governments in efforts to promote programs of redevelopment; and

WHEREAS, the LRHL sets forth the procedures for the Town of Guttenberg (the “Town”) to declare an area in need of redevelopment, along with the development and effectuation of a redevelopment plan; and

WHEREAS, the Town has identified certain property within the Town designated as Block 13, Lot 11 as delineated on the Official Tax Map of the Town and commonly known as 6823 Bergenline Avenue (the “Study Area”), to be considered for designation as a non-condemnation “area in need of redevelopment”, pursuant to the LRHL, N.J.S.A. 40A:12A-1 et seq.; and

WHEREAS, before the Study Area may be designated as an area in need of redevelopment, it is legally necessary that the Town of Guttenberg Joint Planning/Zoning Board (the “Board”) undertake a preliminary study to determine whether the proposed Study Area meets the criteria for designation as a non-condemnation redevelopment area pursuant to N.J.S.A. 40A:12A-5; and

WHEREAS, the Town Council of the Town of Guttenberg (the “ Town Council”) seeks to authorize and recommend the Board to conduct a preliminary investigation of the Study Area utilizing Paul N. Ricci, AICP, PP (the “Planner”) to prepare the preliminary investigation report, to determine whether the proposed Study Area qualifies as a non-condemnation “area in need of redevelopment”, pursuant to N.J.S.A. 40A:12A-5; and

WHEREAS, the Town Council is empowered to authorize this preliminary investigation to be conducted by the Board pursuant to N.J.S.A. 40A:12A-6 as a Non-Condensation Redevelopment Area.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Town of Guttenberg, County of Hudson in the State of New Jersey as follows:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Town of Guttenberg Joint Planning/Zoning Board is hereby authorized to undertake a preliminary investigation pursuant to N.J.S.A. 40A:12A-6, utilizing Paul N. Ricci, AICP, PP, to prepare the preliminary investigation report, pursuant to a notice to conduct a hearing and comply with other requirements of the LRHL, in order to recommend to the Town Council whether the area comprising the properties identified on the Official Tax Map of Town as Block 13, Lot 11 (commonly known as 6823 Bergenline Avenue) is an area in need of Non-Condensation Redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-5.

Section 3. As part of its investigation, the Board shall prepare a map showing the boundaries of the Study Area and the location of the parcels contained therein, and appended thereto shall be a statement setting forth the basis of the investigation.

Section 4. The Board shall conduct a public hearing in accordance with the LRHL, specifically N.J.S.A. 40A:12A-6, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination shall authorize the Town or Town Council to exercise the power of eminent domain to acquire any property in the delineated area, for the Study Area is being investigated as a Non-Condensation Redevelopment Area.

Section 5. At the public hearing, the Board shall hear from all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area. All objections to a determination that the Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Board and made part of the public record.

Section 6. The Board shall provide a written report to the Town Council setting forth its findings resulting from such preliminary investigation and shall recommend to the Town Council whether said properties are a Non-Condensation "Area in Need of Redevelopment" under the meaning and intendment of the LRHL.

Section 7. After conducting its investigation, preparing a map of the Study Area, and conducting a public hearing at which all objections to the designation are received and

considered, the Board shall submit its findings and recommendations to the Town Council in the form of a Resolution with supporting documents.

Section 8. This Resolution shall take effect immediately.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY

RESOLUTION #237-2025

RESOLUTION AUTHORIZING THE TOWN OF GUTTENBERG JOINT PLANNING/ZONING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER BLOCK 34, LOT 3 IDENTIFIED ON THE TAX MAP OF THE TOWN OF GUTTENBERG AND COMMONLY KNOWN AS 6808 PARK AVENUE SHOULD BE DELINEATED AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A-1 et seq.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "LRHL") provides a mechanism to assist local governments in efforts to promote programs of redevelopment; and

WHEREAS, the LRHL sets forth the procedures for the Town of Guttenberg (the "Town") to declare an area in need of redevelopment, along with the development and effectuation of a redevelopment plan; and

WHEREAS, the Town has identified certain property within the Town designated as Block 34, Lot 3 as delineated on the Official Tax Map of the Town and commonly known as 6808 Park Avenue (the "Study Area"), to be considered for designation as a non-condemnation "area in need of redevelopment", pursuant to the LRHL, N.J.S.A. 40A:12A-1 et seq.; and

WHEREAS, before the Study Area may be designated as an area in need of redevelopment, it is legally necessary that the Town of Guttenberg Joint Planning/Zoning Board (the "Board") undertake a preliminary study to determine whether the proposed Study Area meets the criteria for designation as a non-condemnation redevelopment area pursuant to N.J.S.A. 40A:12A-5; and

WHEREAS, the Town Council of the Town of Guttenberg (the "Town Council") seeks to authorize and recommend the Board to conduct a preliminary investigation of the Study Area utilizing Paul N. Ricci, AICP, PP (the "Planner") to prepare the preliminary investigation report, to determine whether the proposed Study Area qualifies as a non-condemnation "area in need of redevelopment", pursuant to N.J.S.A. 40A:12A-5; and

WHEREAS, the Town Council is empowered to authorize this preliminary investigation to be conducted by the Board pursuant to N.J.S.A. 40A:12A-6 as a Non-Condensation Redevelopment Area.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Town of Guttenberg, County of Hudson in the State of New Jersey as follows:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Town of Guttenberg Joint Planning/Zoning Board is hereby authorized to undertake a preliminary investigation pursuant to N.J.S.A. 40A:12A-6,

utilizing Paul N. Ricci, AICP, PP, to prepare the preliminary investigation report, pursuant to a notice to conduct a hearing and comply with other requirements of the LRHL, in order to recommend to the Town Council whether the area comprising the properties identified on the Official Tax Map of Town as Block 34, Lot 3 (commonly known as 6808 Park Avenue) is an area in need of Non-Condensation Redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-5.

Section 3. As part of its investigation, the Board shall prepare a map showing the boundaries of the Study Area and the location of the parcels contained therein, and appended thereto shall be a statement setting forth the basis of the investigation.

Section 4. The Board shall conduct a public hearing in accordance with the LRHL, specifically N.J.S.A. 40A:12A-6, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination shall authorize the Town or Town Council to exercise the power of eminent domain to acquire any property in the delineated area, for the Study Area is being investigated as a Non-Condensation Redevelopment Area.

Section 5. At the public hearing, the Board shall hear from all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area. All objections to a determination that the Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Board and made part of the public record.

Section 6. The Board shall provide a written report to the Town Council setting forth its findings resulting from such preliminary investigation and shall recommend to the Town Council whether said properties are a Non-Condensation "Area in Need of Redevelopment" under the meaning and intent of the LRHL.

Section 7. After conducting its investigation, preparing a map of the Study Area, and conducting a public hearing at which all objections to the designation are received and considered, the Board shall submit its findings and recommendations to the Town Council in the form of a Resolution with supporting documents.

Section 8. This Resolution shall take effect immediately.

Budget Matters:

RESOLUTION#235-2025 AMENDING CAPITAL BUDGET

A motion was made by Councilperson Hokien seconded by Councilperson Delafuente Ayes: Councilpersons Delafuente, Fundora, Habermann, Hokien, Malave and Mayor Zitt Nays: None Absent: None Abstain: None

Ordinances:

ORDINANCE #35-25
ADOPTION

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY

AN ORDINANCE AMENDING CHAPTER 7, SECTION 3 OF THE REVISED GENERAL ORDINANCES OF THE TOWN OF GUTTENBERG

WHEREAS, the Town of Guttenberg (the “Town”) under Chapter 7 of the Revised General Ordinances regulates parking in the Town; and

WHEREAS, the Mayor and Council of the Town recognize that parking availability is a challenge for Town residents; and

WHEREAS, there are several multi-family residential buildings within the Town which have parking garages that are not fully occupied by building residents; and

WHEREAS, the Town desires to create a system by which Town residents can make use of surplus parking spaces in parking garages that are not used by existing building residents; and

WHEREAS, to encourage property owners to make these surplus parking spaces available to residents, the Mayor and Council desire to permit property owners to lease unused parking spaces to Town residents; and

WHEREAS, the Mayor and Council have determined that these changes will help provide additional parking spaces for Town residents and be in the Town’s best interest; and

WHEREAS, the Town now wishes to update the parking ordinance to reflect these principles.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey, that the Revised General Ordinances of the Town of Guttenberg are hereby amended as follows:

SECTION I.

Creation of List of Interested and Eligible Residents. The Town Administrator or his designee shall maintain a list of eligible Town residents who are interested in leasing a parking space from private property owners. The list shall be made available, upon request, to property owners who demonstrate that they have surplus parking spaces that are not utilized by residents of the building.

SECTION II.

Property Owner Eligibility. No property owner may lease a parking space to a non-building resident without demonstrating that the space is currently unused by building residents. To that end, the

property owner shall provide the unit or apartment number of the resident that does not use its designated parking space when making a request to the Town Administrator for the list of eligible and interested residents.

SECTION III.

Implementation of Private Parking Space Lease Program.

- a. Property owners are prohibited from leasing parking spaces to anyone who is not on the list of eligible and interested Town residents maintained by the Town Administrator or his designee.
- b. No residential parking permit shall be issued to a Town resident whose unit is designated as a surplus parking space eligible for lease to Town residents.
- c. The Parking Permits Office shall not issue a resident parking permit to any Town resident who does not list their apartment or unit number (unless the address is a single family residence) on the application for a resident parking permit.
- d. Leases between property owners and Town residents for surplus parking spaces shall be terminable upon thirty (30) days' notice to lessees in the event that the building resident whose parking space is being leased obtains a vehicle.
- e. Property owners may charge reasonable rent to lessees, not to exceed \$150 per month per parking space.

SECTION IV.

Resident Parking Permit Fees. Resident Parking Permit fees shall be assessed as follows:

- a. First vehicle in household shall be \$10 annually.
- b. Second vehicle in household shall be \$20 annually.
- c. Third vehicle in household shall be \$40 annually.
- d. Fourth vehicle and above in household shall be \$80 annually.

SECTION V.

Penalties. Anyone found to be violating any of the provisions herein may be fined up to \$200 for each violation.

SECTION VI.

Severability. If the provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION VII.

Repealer. All Ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency.

SECTION VIII.

Codification. The Town Clerk shall have this Ordinance incorporated in the official copies of the Revised General Ordinances. The Town Clerk and the Town Attorney be and are hereby authorized and directed to correct any typographical error and to change any heading, chapter numbers, article numbers and section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those headings and numbers and existing provisions of the Revised General Ordinances of the Town of Guttenberg, or as they may otherwise deem appropriate, even if headings, chapter numbers, article numbers and section numbers are otherwise provided for in this Ordinance.

SECTION IX.

This Ordinance shall take effect upon passage and publication as required by law.

Summary of Ordinance

This Ordinance revises a previously adopted ordinance related to parking by changing the maximum monthly fee for Private Parking Space Lease Program to \$150.

Ordinance#35-25 Adoption Vote

A motion to open to the public was made by Councilperson Hokien and seconded by Councilperson Delafuente Ayes: Councilpersons Delafuente, Fundora, Habermann, Hokien, Malave and Mayor Zitt Nays: None Absent: None Abstain: None

NO COMMENTS

A motion to close and adopt was made by Councilperson Hokien and seconded by Councilperson Delafuente Ayes: Councilpersons Delafuente, Fundora, Habermann, Hokien, Malave and Mayor Zitt Nays: None Absent: None Abstain: None

ORDINANCE #36-25

ADOPTION

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY

AN ORDINANCE AMENDING CHAPTER 29 OF THE REVISED ORDINANCES OF THE TOWN OF GUTTENBERG REGARDING SHORT TERM VACATION RENTALS IN RESIDENTIAL PROPERTIES

WHEREAS, the Revised Ordinances of the Town of Guttenberg (the Town) permit short-term vacation rentals to the extent that rentals comply with Chapter 29 of the Revised Ordinances of the Town of Guttenberg (“Revised Ordinances”); and

WHEREAS, the clandestine unregulated vacation rentals lead to disproportionate impacts on residents and to the Town affecting both public safety and quality of life having a deleterious effect on the availability of housing, public safety and quality of life; and

WHEREAS, proper regulation of vacation rentals within the Town better handles the burdens placed on the Town and Town Residents by encouraging the proper and lawful short-term vacation rental activity; and

WHEREAS, The Town has a legitimate interest in preserving its unique sense of community which it derives, in large part, from residents' active participation in civic affairs, including local government, cultural events, and educational endeavors; and

WHEREAS, it has also been recognized that vacation rentals allow travelers safe accommodations while contributing to the local economy; and

WHEREAS, it has also been recognized that vacation rental of dwellings and dwelling units can provide homeowners with an opportunity to maintain ownership of property in difficult economic circumstances; and

WHEREAS, the proper regulation of vacation rentals can alleviate any impact on the availability of housing for residents, public safety and quality of life of and for residents of the Town brought about by unregulated vacation rental activity; and

WHEREAS, the Mayor and Council have determined to more precisely codify the regulation of vacation rentals within the Town of Guttenberg and to revise the fees to reflect the cost of review of these applications;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey that the Revised General Ordinances of the Town of Guttenberg is hereby amended as follows:

SECTION X.

§ 29-3(c) "Regulations, Insurance, Taxes, and Fees" of the Revised Ordinances of the Town of Guttenberg is hereby amended to read:

29-3(c) Any person seeking to let a unit, or portion thereof for a Vacation Rental must first obtain a Short Term Rental Housing License from the Town Building Department. The fee for such application shall be \$200.

SECTION XI.

Severability. The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION XII.

Repealer. All Ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency.

SECTION XIII.

Codification. The Town Clerk shall have this Ordinance incorporated in the official copies of the Revised General Ordinances. The Town Clerk and the Town Attorney be and are hereby authorized and directed to correct any typographical error and to change any heading, chapter numbers, article numbers and section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those headings and numbers and existing provisions of the Revised General Ordinances of the Town of Guttenberg, or as they may otherwise deem appropriate, even if headings, chapter numbers, article numbers and section numbers are otherwise provided for in this Ordinance.

SECTION XIV.

This Ordinance shall take effect upon passage and publication as required by law.

Summary of Ordinance

This Ordinance revises the fee for a Short Term Rental Housing License to \$200.

Ordinance#36-25 Adoption Vote

A motion to open to the public was made by Councilperson Delafuente and seconded by Councilperson Hokien Ayes: Councilpersons Delafuente, Fundora, Habermann, Hokien, Malave and Mayor Zitt Nays: None Absent: None Abstain: None

NO COMMENTS

A motion to close and adopt was made by Councilperson Hokien and seconded by Councilperson Delafuente Ayes: Councilpersons Delafuente, Fundora, Habermann, Hokien, Malave and Mayor Zitt Nays: None Absent: None Abstain: None

ORDINANCE#37-25

INTRODUCTION

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY

BOND ORDINANCE PROVIDING FOR THE MONUMENT PARK RENOVATION PROJECT IN AND BY THE TOWN OF GUTTENBERG, IN THE COUNTY OF HUDSON, NEW JERSEY, APPROPRIATING \$900,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$855,000 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GUTTENBERG, IN THE COUNTY OF HUDSON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Town of Guttenberg, in the County of Hudson, New Jersey (the "Town") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$900,000, including the sum of \$45,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$855,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the Monument Park Renovation Project, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Town may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$855,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$180,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Town hereby declares the intent of the Town to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Town is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Town and to execute such disclosure document on behalf of the Town. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Town pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Town and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Town fails to comply with its undertaking, the Town shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Town for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Ordinance#37-25 Introduction Vote

A motion to open to the public was made by Councilperson Hokien and seconded by Councilperson Delafuente Ayes: Councilpersons Delafuente, Fundora, Habermann, Hokien, Malave and Mayor Zitt Nays: None Absent: None Abstain: None

ORDINANCE#38-25
INTRODUCTION

AN ORDINANCE AMENDING ORDINANCE #35-24

An ordinance to provide and determine rates of compensation for officials and employees of the Town of Guttenberg, County of Hudson, State of New Jersey.

BE IT ORDAINED by the Mayor and Town Council, Town of Guttenberg, County of Hudson, State of New Jersey, the salary ordinance be amended as follows:

The salary for each elected, appointed official and employee of the Town of Guttenberg who is engaged on an annual salary basis shall be hereby fixed as follows:

PURPOSE:

CHANGE IN SALARY RANGE IS INDICATED BY *
POSITION CREATED IS INDICATED BY **

DEPARTMENT	POSITION	SALARY RANGE
Administration	Mayor	\$10,000 to \$20,000*
Administration	Council	\$10,000 to \$17,500*
Administration	Administrative Assistants	\$30,000 to \$75,000*
Finance	CFO	\$25,000 to \$50,000*
Finance	Fiscal Officer	\$40,000 to \$85,000*
Public Safety	Secretary	\$25,000 to \$60,000*
Public Safety	Clerk	\$25,000 to \$55,000*
Building	Technical Assistant	\$25,000 to \$70,000*
Building	Construction Official	\$20,000 to \$50,000*
Building	Clerk	\$40,000 to \$70,000*
Building	Part-Time Clerk	\$15.00 to \$20.00 Per Hour*
Fire	Secretary	\$40,000 to \$60,000*
DPW	Foreman	\$50,000 to \$70,000*
DPW	Secretary	\$40,000 to \$60,000*
Recreation	Director of Recreation	\$60,000 to \$100,000*
Recreation	Community Affairs Coordinator	\$25,000 to \$65,000*
Transportation	CDL Driver	\$20.00 to \$35.00 Per Hour**
Senior Services	Director	\$60,000 to \$100,000*
Resource Center	Librarian	\$40,000 to \$60,000*

Resource Center	Part Timers	\$15.00 to \$75.00 Per Hour*
Animal Control	Animal Control Officer	\$5,000 to \$15,000*
Court	Court Administrator	\$75,000 to \$120,000*
Court	Violations Clerk	\$40,000 to \$60,000*

All existing ordinances or part of existing ordinances which are inconsistent with the terms of this ordinance are amended to the minimum extent necessary to cause them to conform to the terms of this ordinance.

This ordinance shall take effect immediately upon final adoption and publication according to law.

Ordinance#38-25 Introduction Vote

A motion to open to the public was made by Councilperson Hokien and seconded by Councilperson Delafuente Ayes: Councilpersons Delafuente, Fundora, Habermann, Hokien, Malave and Mayor Zitt Nays: None Absent: None Abstain: None

ORDINANCE #39-25 INTRODUCTION

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY

ORDINANCE AMENDING CHAPTER 13, SECTION 13 OF THE TOWN CODE TO UPDATE INSPECTION FEES FOR LEAD-BASED PAINT INSPECTIONS

WHEREAS, pursuant to P.L. 2021, c.182, all municipalities are now required, with certain exceptions, to inspect single-family, two-family, and multiple rental dwelling located within the municipality at tenant turnover for lead-based paint hazards; and

WHEREAS, it is in the best interests of the residents of the Town of Guttenberg to amend the Code to require inspections for lead-based paint in residential rental dwellings to conform with New Jersey State law; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, a municipality may make, amend, repeal, and enforce ordinances not contrary to the laws of this State or of the United States, as it may deem necessary and proper for order and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants; and

WHEREAS the Town desires to amend Section 13 entitled “Lead-Based Paint Inspections” to Chapter 13 of the Town Code entitled “Property Maintenance” to revise the fees for inspections for

lead-based paint in residential rental dwellings in order to ensure the health and safety of its residents and promote responsible governance in the Town.

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey that:

SECTION ONE

Chapter 13, Section 13 is known as “Lead-Based Paint Inspections” is hereby amended and shall read as follows:

13-2Inspections.

(7) Fees.

- a. The Town shall charge the dwelling owner or landlord, and the dwelling owner or landlord shall pay the Town in advance of any inspection, a fee sufficient to cover the cost to the Town of the inspection, which shall be dedicated to meeting the costs of implementing and enforcing this section, which shall include the following:
 - a. \$50 fee per dwelling for dwelling unit filing unit for a visual assessment performed by the lead inspector.
 - b. If the property owner has not scheduled an inspection within thirty (30) days of receiving a notice from the Town of a required inspection, the fee shall be \$100. After sixty (60) days, the fee shall be \$200. After ninety (90) days, the fee shall be \$300.
- b. In accordance with N.J.S.A. 52:27D-437.16(h), an additional fee of \$20.00 per dwelling unit inspected by the Town’s lead evaluation contractor or the owner’s private lead evaluation contractor shall be addressed for the purpose of the Lead Hazard Control Assistance Act, unless the owner demonstrates that the Department of Community Affairs has already assessed an additional inspection fee of \$20.00. The fees collected pursuant to this subsection shall be deposited into the Lead Hazard Control Assistance Fund.
- c. In a common interest community, any inspection fee charged pursuant to this subsection shall be the responsibility of the unit owner and not the homeowners’ association, unless the association is the owner of the unit.

SECTION TWO

Severability. The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION THREE

Repealer. All Ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all Ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION FOUR

In order to avoid accidental repeal of existing provisions, the Town Clerk and Corporation Counsel are hereby authorized to change any chapter numbers, article numbers and/or section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing Code.

SECTION FIVE

When Effective. This Ordinance shall take effect upon passage and publication as required by law.

SUMMARY OF ORDINANCE

This Ordinance amends a sliding fee schedule for lead-based paint inspections.

Ordinance#39-25 Introduction Vote

A motion to open to the public was made by Councilperson Habermann and seconded by Councilperson Fundora Ayes: Councilpersons Delafuente, Fundora, Habermann, Hokien, Malave and Mayor Zitt Nays: None Absent: None Abstain: None

ORDINANCE #40-25

INTRODUCTION

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY

AN ORDINANCE AMENDING CHAPTER 8 OF THE REVISED GENERAL ORDINANCES OF THE TOWN OF GUTTENBERG TO ESTABLISH SPECIAL PARKING RESTRICTIONS ON SPECIFIC SPACES WITHIN TOWN

WHEREAS, pursuant to N.J.S.A. 40:48-2, a municipality may make, amend, repeal, and enforce ordinances not contrary to the laws of this State or of the United States, as it may deem necessary and proper for order and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants; and

WHEREAS, the Town of Guttenberg has limited parking availability; and

WHEREAS, the Town of Guttenberg desires to encourage residents and non-residents to shop at restaurants, shops, and other retail establishments within the Town of Guttenberg; and

WHEREAS, the Town of Guttenberg deems it desirable to impose restrictions on certain parking spaces to limit the use of those spaces to certain special situations; and

WHEREAS, the Town has designated certain spaces to be reserved for police vehicles only to allow Town police officers to efficiently carry out their duties and advance goals of public safety and general welfare; and

WHEREAS, the Town desires residents and visitors to have convenient access to the Guttenberg Resource Center to make the resources more readily available to Town residents; and

WHEREAS, the Town desires to have a convenient space for visitors or residents with business in Town Hall to utilize to make Town business more efficient and to facilitate convenient service for residents and people with business with the Town; and

WHEREAS, the Town of Guttenberg has installed signage at each of the locations described below to communicate these restrictions.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey as follows:

SECTION I.

§ 8-10 of the Revised General Ordinances of the Town of Guttenberg is hereby amended to read as follows:

§ 8-10. DESIGNATION OF PERMIT PARKING AREAS AND SPACES.

a. The Town Administrator is hereby authorized to set aside and to designate as permit parking areas ("permit parking areas") during the hours designated by the Town Administrator the following areas:

1. In the 68th Street, 71st Street, and Jackson Street parking lots of the Town.
2. In the parking lot located at 301 69th Street (behind the Anna L. Klein Elementary School).
3. Any parking lot designated in writing by the Town Administrator which the Town owns or leases and makes available for parking by Town residents for reserved or other permit parking.
4. Certain parking spaces in Town.

b. The Town Administrator shall set aside and designate in permit parking areas such number of parking spaces as may be reasonably necessary to accommodate the needs of the public, in accordance with any agreements by the Town.

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SECTION II.

§ 8 of the Revised General Ordinances of the Town of Guttenberg is hereby amended to add the following:

SECTION III.

Repealer. All Ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency.

SECTION IV.

Severability. The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION V.

Codification. The Town Clerk shall have this Ordinance incorporated in the official copies of the Revised General Ordinances. The Town Clerk, Deputy Town Clerk, and the Town Attorney be and are hereby authorized and directed to change any typographical error, and any heading, part numbers, chapter numbers, article numbers and section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those headings and numbers and existing provisions of the Revised General Ordinances, or as they may otherwise deem appropriate, even if the headings, part numbers, chapter numbers, article numbers and section numbers thus modified are otherwise provided for in this Ordinance.

SECTION VI.

This Ordinance shall take effect upon passage and publication as required by law.

Summary of Ordinance

This Ordinance: codifies parking restrictions at miscellaneous locations throughout the Town and enables the Guttenberg Police Department to enforce those restrictions.

Ordinance#40-25 Introduction Vote

A motion to open to the public was made by Councilperson Hokien and seconded by Councilperson Delafuente Ayes: Councilpersons Delafuente, Fundora, Habermann, Hokien, Malave and Mayor Zitt Nays: None Absent: None Abstain: None

ORDINANCE #41-25
INTRODUCTION

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY

AN ORDINANCE AMENDING CHAPTER 28 TO REQUIRE BUILDING PERMIT FOR FENCES, SHEDS AND OTHER ACCESSORY STRUCTURES

WHEREAS, pursuant to N.J.S.A. 40:48-2, a municipality may make, amend, repeal, and enforce ordinances not contrary to the laws of this State or of the United States, as it may deem necessary and proper for order and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants; and

WHEREAS, the Town of Guttenberg is a municipality as defined by Title 40 of the New Jersey Statutes; and

WHEREAS, Chapter 28 of the Code addresses when a building permit is required in the Town; and

WHEREAS, the Mayor and Council have determined that it would be in the best interest of the Town to clarify what permits are required for the installation of a shed, fence, or other accessory structure.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Town Council of the Town of Guttenberg do hereby amend Chapter 28 as follows:

§ 28-19 Required

No building or structure in any district shall be erected, enlarged or structurally altered without a Building Permit duly issued, upon application, by the Enforcing Officer. No Building Permit shall be issued by the Enforcing Officer except in conformance with the provisions of this chapter or unless he is directed to issue same under written order from the Zoning Board of Adjustment in the form of a variance special permit or administrative review as provided by this chapter.

A building permit shall be required for the erection, reconstruction, or modification of any fence, shed, or accessory structure on a property. A property owner may repair an existing shed or fence that predates the adoption of this ordinance, or which was properly permitted by this ordinance without further approval so long as the fence does not change its course, location, or height, or any repairs to the shed which do not impact the structural integrity of the shed.

SECTION TWO

Severability. The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION THREE

Repealer. All Ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all Ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION FOUR

In order to avoid accidental repeal of existing provisions, the Town Clerk and Corporation Counsel are hereby authorized to change any chapter numbers, article numbers and/or section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing Code.

SECTION FIVE

When Effective. This Ordinance shall take effect upon passage and publication as required by law. Pursuant to N.J.S.A. 40:55D-26 this amendment to Chapter 28 is hereby referred to the Town Joint Zoning & Planning Board for review to provide comment on whether the proposal is substantially consistent with the Master Plan.

SUMMARY OF ORDINANCE

This Ordinance amends Chapter 28 to require a building permit for the erection, reconstruction, or modification of any fence or shed on a property within the Town of Guttenberg.

Ordinance#41-25 Introduction Vote

A motion to open to the public was made by Councilperson Delafuente and seconded by Councilperson Fundora Ayes: Councilpersons Delafuente, Fundora, Habermann, Hokien, Malave and Mayor Zitt Nays: None Absent: None Abstain: None

Payment of Claims:

A motion was made to pay the bill list by Councilperson Hokien seconded by Councilperson Delafuente Ayes: Councilpersons Delafuente, Fundora, Habermann, Hokien, Malave and Mayor Zitt Nays: None Absent: None Abstain: None

- Mayor Zitt abstained to PO 242751, 242693
- Councilwoman Fundora abstained to PO #242799, 242693
- Councilman Haberman abstained to PO #242751

New Business:

ORDINANCE #42-25

INTRODUCTION

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY

AN ORDINANCE AMENDING CHAPTER 7, SECTION 9 OF THE REVISED GENERAL ORDINANCES OF THE TOWN OF GUTTENBERG

WHEREAS, the Town of Guttenberg (the “Town”) under Chapter 7 of the Revised General Ordinances regulates parking in the Town; and

WHEREAS, the Mayor and Council of the Town recognize that parking availability is a challenge for Town residents; and

WHEREAS, there are bus stops throughout Town that impact on-street parking; and

WHEREAS, the Town desires to create a system by which busses stop in safe, convenient locations that reduce impact on on-street parking availability; and

WHEREAS, the Town now wishes to update the parking ordinance to reflect these principles.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey, that the Revised General Ordinances of the Town of Guttenberg are hereby amended as follows:

SECTION VII.

Section 7-9 of the Revised General Ordinances of the Town shall be amended as follows:
Kennedy Boulevard East:

Northwest corner at 69th Street and Kennedy Boulevard East - extending 106 feet
East side at 7000 Kennedy Boulevard East – starting ten feet south of the fire hydrant currently located at the southern edge of the curb cut serving the residential building located at 7002 Kennedy Boulevard East, and extending 95 feet south from that point.
Southwest corner at 7005 Kennedy Boulevard East - extending 84 feet
Northeast corner at 7100 Kennedy Boulevard East - extending 97 feet

SECTION VIII.

Severability. If the provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION IX.

Repealer. All Ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency.

SECTION X.

Codification. The Town Clerk shall have this Ordinance incorporated in the official copies of the Revised General Ordinances. The Town Clerk and the Town Attorney be and are hereby authorized and directed to correct any typographical error and to change any heading, chapter numbers, article numbers and section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those headings and numbers and existing provisions of the Revised General Ordinances of the Town of Guttenberg, or as they may otherwise deem appropriate, even if headings, chapter numbers, article numbers and section numbers are otherwise provided for in this Ordinance.

SECTION XI.

This Ordinance shall take effect upon passage and publication as required by law.

Summary of Ordinance

This Ordinance revises the location of a bus stop on Kennedy Boulevard East.

Ordinance#41-25 Introduction Vote

A motion to open to the public was made by Councilperson Hokien and seconded by Councilperson Delafuente Ayes: Councilpersons Delafuente, Fundora, Habermann, Hokien, Malave and Mayor Zitt Nays: None Absent: None Abstain: None

Public Portion:

A motion was made to open public portion by Councilperson Fundora seconded by Councilperson Delafuente Ayes: Councilpersons Delafuente, Fundora, Habermann, Hokien, Malave and Mayor Zitt Nays: None Absent: None Abstain: None

NO PUBLIC COMMENTS

A motion was made to close public portion by Councilperson Delafuente seconded by Councilperson Hokien Ayes: Councilpersons Delafuente, Fundora, Habermann, Hokien, Malave and Mayor Zitt Nays: None Absent: None Abstain: None

Adjournment:

A motion to adjourn was made by Councilperson Fundora seconded by Councilperson Hokien Ayes: Councilpersons Delafuente, Fundora, Habermann, Hokien, Malave and Mayor Zitt Nays: None Absent: None Abstain: None

Meeting was adjourned at 4:45 P.M.

Respectfully Submitted,

Dr. Cosmo A. Cirillo, RMC
Town Clerk